

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RAVON JETER, SR.,)	
)	CASE NO. 4:13CV00896
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
LT. SAMPLE,)	
)	
Defendant.)	<u>ORDER</u> [Resolving ECF No. 9]

Pro se Plaintiff Ravon Jeter, Sr., filed a complaint alleging that Defendant Lieutenant Sample used excessive force against him. ECF No. [3](#). Defendant filed a Rule 12(b)(6) motion to dismiss the complaint. ECF No. [9](#). Plaintiff filed an opposition. ECF No. [17](#). Defendant filed a reply. ECF No. [18](#). On April 24, 2014, United States Magistrate Judge Kathleen B. Burke prepared a report in accordance with [28 U.S.C. § 636](#), recommending that the Rule 12(b)(6) motion to dismiss should be denied. ECF No. [19](#).

[28 U.S.C. § 636](#) provides that a party may serve and file specific written objections within fourteen days after being served with the recommendations of the magistrate judge. Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn](#), 474 U.S. 140, 145, 106 S. Ct. 466, 88 L. Ed. 2d (1986). Moreover, 28 U.S.C. § 636 does not require a district judge to review a magistrate judge's report to which no objections are filed. *Id.* at 149.

Although the cutoff to file written objections was May 8, 2014, Defendant has not filed

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any objections, indicating satisfaction with the magistrate judge's report. Any further review by this Court would be a duplicative and inefficient use of the Court's resources. See [Howard v. Secretary of Health & Human Services](#), 932 F.2d 505, 509 (6th Cir. 1991). Moreover, the Court agrees with the magistrate judge's recommendation.

Accordingly, the Court adopts the Report and Recommendation, and denies the motion to dismiss.

IT IS SO ORDERED.

July 2, 2014
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge